

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WEI WANG,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

Case No. C21-1353-JHC-SKV

ORDER DENYING PETITIONER'S
MOTIONS FOR APPOINTMENT OF
COUNSEL

This is a habeas corpus action filed pursuant to 28 U.S.C. § 2254. This matter comes before the Court on Petitioner's Motions for Appointment of Counsel. Dkts. 20 & 21. The Court, having reviewed Petitioner's motions, and the balance of the record, hereby finds and ORDERS as follows:

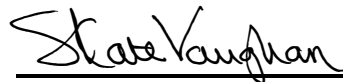
(1) Petitioner's Motions for Appointment of Counsel, Dkts. 20 & 21, are DENIED. There is no right to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an evidentiary hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); Rule 8(c) of the Rules Governing Section 2254 Cases in the United States District Courts. The Court may, however, exercise its

1 discretion to appoint counsel for a financially eligible individual where the “interests of justice so
2 require.” 18 U.S.C. § 3006A.

3 At this juncture, the record is not sufficiently developed for the Court to determine
4 whether an evidentiary hearing will be required, and Petitioner has not demonstrated that the
5 interests of justice are best served by appointment of counsel. Counsel will be appointed, as
6 required, should the Court later determine that an evidentiary hearing is necessary.

7 (2) The Clerk is directed to send copies of this Order to the parties and to the
8 Honorable John H. Chun.

9 Dated this 6th day of April, 2023.

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11 S. KATE VAUGHAN
12 United States Magistrate Judge
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